

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No. 704 of 2007
Date of Decision: 6.3.2007

Ashwani Kumar Malhotra

...Appellant

Versus

Government of India and others

....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri Deepak Bajaj, Advocate, for the appellant.

HEMANT GUPTA, J.

The plaintiff is in second appeal aggrieved against the judgment and decree passed by the learned first Appellate Court, whereby suit for declaration to the effect that the plaintiff is the owner of Indira Vikas Patras, as mentioned in the suit, was dismissed.

It is the case of the plaintiff that such Indira Vikas Patras have been lost and therefore, the plaintiff is entitled to declaration to claim the maturity value of the said Indira Vikas Patras. Though the learned trial Court decreed the suit but in appeal, the learned first Appellate Court dismissed the suit. The Court relied upon the Hon'ble Supreme Court's judgment in **Central Government of India & others v. Krishnaji Parvetesh Kulkarni AIR 2006 SC 1744**, wherein it has been held that a person, who has lost Indira Vikas Patras, is not entitled to recover the maturity value thereof.

In view of the said judgment, I do not find any patent illegality or irregularity in the finding recorded by the learned first

Appellate Court, which may give rise to any substantial question of law in the present appeal.

Hence, the present appeal is dismissed.

06-03-2007
ds

(HEMANT GUPTA)
JUDGE